

In The Claims

Please cancel Claims 1-13, 8-21, and 23 without prejudice.

Please amend Claims 14, 15, and 22 as follows.

Please add Claims 24-51 as follows:

1 – 13. (cancelled)

14. (currently amended) A computer based method for ranking a set of patents according to strength, comprising analyzing said set of patents by consideration of at least one objective parameter(s) of each patent in said group, said at least one objective parameter(s) selected from the group consisting of number of claims within patent, number of independent claims within patent, number of citations to prior publications within each patent cited by a patent examiner, number of other patents which contain a citation to each said patent, number of patents owned by others which contain a citation to each said patent, number of elements in an independent claim of each said patent, and number of elements in an exemplary claim of each said patent, and number of linguistic or textual components in said patent, wherein said analyzing is performed by a general-purpose computer specially programmed to perform said analyzing.

15. (currently amended) A computer based method for ranking a set of patents according to strength as recited in Claim 14 further comprising the step of displaying said set of

patents according to strength, wherein said displaying is performed by said general-purpose computer.

16. (original) A computer based method for ranking a set of patents according to strength as recited in Claim 14 wherein said analysis of said set of patents uses a formula which assigns a weight to each of said selected objective parameters.

17. (original) A computer based method for ranking a set of patents according to strength as recited in Claim 16 wherein said weights may be positive or negative and are settable by a user of said computer based method.

18- 21. (cancelled)

22. (currently amended) An apparatus for ranking a set of patents according to strength, comprising means for analyzing said set of patents by consideration of at least one objective parameter(s) of each patent in said group, said at least one objective parameter(s) selected from the group consisting of number of claims within patent, number of independent claims within patent, number of citations to prior publications within each patent cited by a patent examiner, number of other patents which contain a citation to each said patent, number of patents owned by others which contain a citation to each said patent, number of elements in an independent claim of each said patent, and number of elements in an exemplary claim of each said patent, and number of linguistic or textual components in said patent, wherein said means for analyzing is located in at least one general-purpose computer.

23. (cancelled)

24. (new) A computer based method for mining data from a patent, comprising the steps of:

analyzing each claim of a patent-related document;

determining a number of elements present in said each claim of said patent-related document; and,

displaying said number of elements, wherein said steps of analyzing each claim, determining a number of elements present in said each claim, and displaying said number of elements are performed by a general-purpose computer specially programmed to perform said steps.

25. (new) A computer based method as recited in Claim 24 wherein determining a number of claims in said patent-related document further comprises assigning a strength value to said patent-related document based upon said determination.

26. (new) A computer based method as recited in Claim 24 wherein a first claim among said each claim further comprises at least one semicolon and determining a number of elements further comprises determining a number of said at least one semicolon, and relating the number of elements in said claim to said number of said at least one semicolon.

27. (new) A computer based method as recited in Claim 26 wherein relating the number of elements in said claim to said number of said at least one semicolon further comprises adding the number one to said number of said at least one semicolon.

28. (new) A computer based method as recited in Claim 24 wherein a second claim among said each claim comprises a sequence of ordered phrases identified by a letter or numeral and determining a number of elements further comprises identifying said sequence.

29. (new) A computer based method as recited in Claim 24 further comprising:
analyzing a preamble section of said each claim to determine a type of invention being claimed;
determining a number of claims in said patent-related document

analyzing at least one independent claim in said patent-related document; and,
analyzing at least one citation in said patent-related document, wherein said steps of analyzing a preamble section, determining a number of claims, analyzing at least one independent claim, and analyzing at least one citation are performed by said general-purpose computer.

30. (new) A computer based method as recited in Claim 29 wherein analyzing at least one independent claim in said patent-related document further comprises identifying an exemplary independent claim of said patent, determining a number of elements in said exemplary independent claim, and assigning a strength value to said patent based upon said number of elements in said exemplary independent claim.

31. (new) A computer based method as recited in Claim 29 wherein analyzing at least one independent claim in said patent-related document further comprises determining a number of said at least one independent claim and assigning a strength value to said patent-related document based upon said number of said at least one independent claim.

32. (new) A computer based method as recited in Claim 29 wherein said patent-related document further comprises at least one citation regarding prior publications; and, wherein analyzing at least one citation in said patent-related document further comprises determining a number of said at least one citation regarding prior publications and displaying said number of said at least one citation regarding prior publications.

33. (new) A computer based method as recited in Claim 32 wherein said at least one citation regarding prior publications comprises at least one citation to a prior patent publication; and,
wherein analyzing at least one citation in said patent-related document further comprises determining a number of said at least one citation to a prior patent publication, displaying said

number of said at least one citation to a prior patent publication, and assigning a strength value to said patent based upon said number of said at least one citation to a prior patent publication.

34. (new) A computer based method as recited in Claim 32 wherein said at least one citation regarding prior publications comprises at least one citation to a prior non-patent publication; and,
wherein analyzing at least one citation in said patent-related document further comprises determining a number of said at least one citation to a prior non-patent publication, displaying said number of said at least one citation to a prior non-patent publication, and assigning a strength value to said patent based upon said number of said at least one citation to a prior non-patent publication.

35. (new) A computer based method as recited in Claim 29 wherein analyzing a preamble section of said each claim further comprises identifying a preamble section of said each claim in said patent-related document, identifying a type of invention to which said patent-related document is directed, and displaying said type of invention.

36. (new) A computer based method as recited in Claim 35 wherein identifying a type of invention to which said patent-related document is directed further comprises identifying a type of invention selected from the group including an article of manufacture, an apparatus, a method, a design, a plant, a process, and an improvement.

37. (new) A computer based method as recited in Claim 24 wherein a number of patents in a set of patent documents cite said patent-related document; and,
said method further comprising:

determining said number of patents in said set of patent documents; and,

assigning a strength value to said patent-related document based upon said number of patents in said set of patent documents, wherein said determining and assigning are performed by said general-purpose computer.

38. (new) An apparatus for mining data from a patent, comprising:
means for analyzing each claim of a patent-related document;
means for determining a number of elements present in said each claim of said patent-related document;
means for analyzing a preamble section of said each claim to determine a type of invention being claimed;
means for determine a number of claims in said patent-related document;
means for analyzing at least one independent claim in said patent-related document; and,
means for analyzing at least one citation in said patent-related document, wherein said respective means for: analyzing each claim, determining a number of elements present in said each claim, analyzing a preamble section, determining a number of claims in said patent-related document, analyzing at least one independent claim, and analyzing at least one citation are located in at least one general-purpose computer.

39. (new) An apparatus of Claim 38 further comprising:
means for displaying said number of elements in said each claim in said patent-related document, wherein said means for displaying is located in said at least one general-purpose computer.

40. (new) An apparatus of Claim 38 wherein said patent-related document further comprises at least one citation regarding prior publications; and,
wherein said means for analyzing at least one citation in said patent-related document further comprises means for determining a number of said at least one citation regarding prior

publications and means for displaying said number of said at least one citation regarding prior publications.

41. (new) An apparatus of Claim 40 wherein said at least one citation regarding prior publications comprises at least one citation to a prior patent publication; and, wherein said means for analyzing at least one citation in said patent-related document further comprises means for determining a number of said at least one citation to a prior patent publication, means for displaying said number of said at least one citation to a prior patent publication, and means for assigning a strength value to said patent based upon said number of said at least one citation to a prior patent publication.

42. (new) An apparatus of Claim 40 wherein said at least one citation regarding prior publications comprises at least one citation to a prior non-patent publication; and, wherein said means for analyzing at least one citation in said patent-related document further comprises means for determining a number of said at least one citation to a prior non-patent publication, means for displaying said number of said at least one citation to a prior non-patent publication, and means for assigning a strength value to said patent based upon said number of said at least one citation to a prior non-patent publication.

43. (new) An apparatus of Claim 38 wherein a first claim among said each claim further comprises at least one semicolon and said means for determining a number of elements further comprises means for determining a number of said at least one semicolon, and means for relating the number of elements in said claim to said number of said at least one semicolon.

44. (new) An apparatus of Claim 43 wherein said means for relating the number of elements in said claim to said number of said at least one semicolon further comprises means for adding the number one to said number of said at least one semicolon.

45. (new) An apparatus of Claim 38 wherein a second claim among said each claim comprises a sequence of ordered phrases identified by a letter or numeral and said means for determining a number of elements further comprises identifying said sequence.

46. (new) An apparatus of Claim 38 wherein said means for analyzing a preamble section of said each claim further comprises means for identifying a preamble section of said each claim in said patent-related document, means for identifying a type of invention to which said patent-related document is directed, and means for displaying said type of invention.

47. (new) An apparatus of Claim 46 wherein said means for identifying a type of invention to which said patent-related document is directed further comprises means for identifying a type of invention selected from the group including an article of manufacture, an apparatus, a method, a design, a plant, a process, and an improvement.

48. (new) An apparatus of Claim 38 wherein said means for analyzing at least one independent claim in said patent-related document further comprises means for determining a number of said at least one independent claim and means for assigning a strength value to said patent-related document based upon said number of said at least one independent claim.

49. (new) An apparatus of Claim 38 wherein said means for determining a number of claims in said patent-related document further comprises means for assigning a strength value to said patent-related document based upon said determination.

50. (new) An apparatus of Claim 38 wherein said means for analyzing at least one independent claim in said patent-related document further comprises means for identifying an exemplary independent claim of said patent, means for determining a number of elements in said exemplary independent claim, and means for assigning a strength value to said patent based upon said number of elements in said exemplary independent claim.

51. (new) An apparatus of Claim 38 wherein a number of patents in a set of patent documents cite said patent-related document; and,
said apparatus further comprising:

means for determining said number of patents in said set of patent documents;
and,

means for assigning a strength value to said patent-related document based upon said number of patents in said set of patent documents, wherein said means for determining and means for assigning are located in said at least one general-purpose computer.